

REMARKS:

Claims 1-9 are pending in the application. In the Office Action dated August 23, 2005, the Examiner rejected all pending claims under 35 U.S.C. 102(b) as being anticipated by Nakamura (US 5,954,159). This rejection is respectfully traversed.

In this amendment, claims 1 and 5 have been amended to incorporate the subject matter of original claims 2 and 6, respectively. Claims 2 and 6 have been canceled.

The Examiner cited Nakamura as allegedly teaching a reservoir tank 35 integral with the block 8. Nakamura discloses a driving block part 8 mounted to pedestal 35 with screws, see at least column 3 lines 20-21, lines 32-34, and lines 48-49 and Figs. 1 and 4.

In addition, Nakamura does not disclose a cylinder accommodated inside a reservoir tank. Rush adjuster 40, referenced by the examiner as allegedly anticipating the cylinder of the present invention, is disposed in driving block part 8 which is mounted to pedestal 35. Oil travels through oil passing portion 45 of pedestal 35, crosses over partition wall 43 of pedestal 35, pours into reservation chamber 44 of pedestal 35 and "eventually enters into the driving block part 8 through the oil supply hole 39 to be poured to the rush adjuster 40" (column 3 lines 59-64). Neither rush adjuster 40 nor any other element which could be construed as a cylinder exists inside either of the oil chambers 44, 45 of pedestal 35.

In contrast, in the present invention, the cylinder 7 is entirely disposed within the reservoir tank 30. This provides an advantage over Nakamura's invention in that when the engine is started, "the oil is immediately provided into the cylinder 7 from the reservoir tank 30" (paragraph [0011], lines 2-3).

Both currently amended independent claims of the instant application contain the limitations that "said reservoir tank is integrally formed with a cylinder block," and "said cylinder is [accommodated or provided] inside said reservoir tank." Neither of these limitations is disclosed or suggested in Nakamura. For at least the above-mentioned reasons, independent claims 1 and 5, as well as dependents thereon, are patentable over Nakamura.

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance is respectfully requested.

Authorization is granted to charge any outstanding fees due at this time for the continued prosecution of this matter to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (matter no. 060945-0181)

Respectfully submitted,



Jessica C. Stahnke (Reg. No. 57,570)

for

Thomas D. Kohler (Reg. No. 32,797)

MORGAN, LEWIS & BOCKIUS LLP

One Market, Spear Street Tower

San Francisco, CA 94105

415.442.1000

November 17, 2005

Date